IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 490 of 2006 (M/B)

1. Subhash Chandra
   S/o Sri Hori Lal,
   R/o Village Harrawala,
   Haridwar Road, Dehradun.
2. Shiv Pal Morya,
   S/o Late Suraj Lal,
   R/o Village Harrawala,
   Haridwar Road, Dehradun. …….. Petitioners

Versus

1. State of Uttaranchal,
   through Secretary,
   Department of Panchayat Raj,
   Dehradun.
2. Commissioner, Garhwal Division,
   Dehradun.
3. Collector, Dehradun.
4. Gram Panchayat,
   Harrawala, Vikas Khand Doiwala,
   District Dehradun,
   Through its Gram Panchayat Vikas Adhikari.
5. Smt. Meena Paswan W/o Raj Kumar Paswan,
   Gram Pradhan,
   Gram Sabha Harrawala,
   Vikas Khand Doiwala,
   District Dehradun. …… Respondents

Mr. T.A. Khan, Advocate for the petitioners.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. Prafulla C. Pant,

RAJESH GUPTA, C.J. (Oral)

Mr. T.A. Khan, Advocate for the petitioners.

He is heard.

2. The petitioners have filed this writ petition for the following reliefs:

> "1. To issue a writ order or direction in the nature of Mandamus directing a high level enquiry against the respondent no. 5 with regard to the contents mentioned in sub-paras I to vx of Para No. 6 of the present writ petition.

2. To issue a writ order or direction in the nature of Mandamus directing the respondent no. 3 to take charge of Gram Panchayat, Harrawala, Vikas Khand Doiwala, pargana Parwadoon, District Dehradun and the respondent no. 5 may kindly be restrained from doing any function as a Gram Pradhan of the said Gram Sabha.

3. Any other order or direction which this Hon'ble Court may deem fit and proper may kindly be awarded in favour of the petitioners.

4. Award the cost of the petition in favour of the petitioners and against the respondents."

3. Considering the nature of the allegations made in the writ petition, we are of the opinion that it would be appropriate for the petitioners to make a representation / complaint before the Lok Ayukt, who has its own investigating team to hold a fact finding inquiry.

4. With the above observation, the writ petition stands disposed of.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C.J.)**
27.04.2006 **27.04.2006**

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